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RUEHLO/AMEMBASSY LONDON PRIORITY 3396
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RUEHNY/AMEMBASSY OSLO PRIORITY 3483
RUEHKO/AMEMBASSY TOKYO PRIORITY 2573
RUEHCG/AMCONSUL CHENNAI PRIORITY 7188
RUEHBI/AMCONSUL MUMBAI PRIORITY 4977
RUEHGV/USMISSION GENEVA PRIORITY 1597
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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 002077

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DEPARTMENT FOR SCA/INS

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SUBJECT: SRI LANKA: TAMIL PARTY URGES MORE TALKS BUT SAYS
ABUSES MUST STOP

REF: A) COLOMBO 2046 B) COLOMBO 2052

Classified By: Ambassador Robert O. Blake, Jr., for reasons 1.4(b, d).

¶1. (C) SUMMARY: In a meeting on December 14 with Ambassador and PolCouns, Members of Parliament from the Tamil National Alliance (TNA, which shares the political goals of the "Tamil Tigers"), criticized the report of an Experts' Committee on possible future power-sharing arrangements, but felt there was enough constructive content in it to mark the starting point for future negotiations. However, their immediate priorities were an improvement in the humanitarian situations in Jaffna and Vakarai, and a stop to the continuing human rights violations and violence against civilians by government security forces and paramilitaries. They urged the international community to be tougher with the government on the abuses. They thought it was still possible to win over the Tamil Tigers for a peaceful settlement on the basis of devolution of power, and pledged to respect the rights of Muslims and Sinhalese in the future Tamil-majority areas. End summary.

MAJORITY REPORT BY EXPERTS' COMMITTEE NOT ENOUGH

¶2. (C) The leader of the Tamil National Alliance (TNA), Rajavarethayam Sampanthan, said that the eleven members who produced the majority report had "clearly endeavored" to produce a power-sharing arrangement that would address Tamil aspirations. However, it fell well short of this goal. There were technical imperfections: Tamils would not be happy about the requirement that provincial legislation be in conformity with framework legislation enacted by the center. Further, the executive powers reserved to the provinces were not spelled out in the majority report. In any case, power-sharing was not a panacea. What was missing was a true federal arrangement which would provide for the safety and security of Tamil people on their land. Tamils wanted a new compact or contract between the different nationalities who inhabit Sri Lanka) and this was not it, although perhaps a step in that direction.

13. (C) Sampanthan noted that the political parties representing minorities had not nominated the four Tamil (and one Muslim) representatives on the expert panel. Rather, the government had chosen them. Still, he did not want to criticize them; they had achieved what it was possible to achieve. Ambassador observed that the real purpose of the expert's committee had not been to produce a national consensus, but rather, to form a consensus of the "southern" (Sinhalese) parties which could form the basis for negotiations with the Tamil community.

14. (C) Sampanthan asked us not to deceive ourselves about the reported "overlap" between the majority and minority reports (ref a). In his view, the minority's stance represented a complete rejection of everything constructive the majority had proposed. He pointed out that two of the minority members were lawyers who had formed the core of the rejectionist part of the GSL negotiating team. They had also been involved as plaintiffs in a number of court challenges to previous power-sharing proposals, including the recent Supreme Court case that "de-merged" the north and east.

15. (C) Ambassador replied that it was expected that the Sinhalese chauvinist parties JVP and JHU would not be able to accept the majority proposals. What was important was the support of opposition leader Ranil Wickremesinghe's UNP. Sampanthan agreed that Wickremesinghe's role was essential, noting that he had already floated the idea of "asymmetrical devolution" years before, as Prime Minister.

IS THE PRESIDENT GETTING GOOD INFORMATION?

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16. (C) In response to a question from Ambassador, Sampanthan said that the TNA deputies met regularly with President Rajapaksa and tried to keep him informed. However, Sampanthan thought that Rajapaksa's military advisors, especially his brother, Defense Secretary Gothabaya Rajapaksa, carefully shielded the President from uncomfortable realities. He railed against the assassination of Raviraj, who he said would have developed into a far-sighted, moderate and visionary Tamil leader. This had led the paramilitaries supporting the government to eliminate him, but the security forces had attempted to blame the act on the LTTE. Sampanthan pointed out that in the long history of government-orchestrated human rights violations against civilians, no one had ever been charged, let alone convicted.

VAKARAI SITUATION

17. (C) Sampanthan cited the humanitarian situation in the conflict area of Vakarai (ref b). The military had claimed that the Red Cross and others had failed to respond to calls for help, when in fact the army had prevented them from continuing into Vakarai numerous times. It was not true, he insisted, that the Tigers were keeping the civilian population hostage in Vakarai. "This is where they live. Their homes are there. They are not going to leave!" (COMMENT: The local representative of the UN High Commissioner for Refugees later disagreed, noting that civilians do want to leave Vakarai due to lack of food and continued fighting.)

HOW TO GET A-9 OPEN AGAIN?

18. (C) The Ambassador noted that the Co-Chairs had called for the re-opening of the A-9 highway to Jaffna and for the de-politicization of all humanitarian issues. The GSL had agreed to send a one-time relief convoy, while holding out the prospect of more frequent openings if the first went well. Yet the LTTE, which claimed to be concerned about Jaffna, had rejected the GSL offer. Sampantham's colleague

Suresh Premachandran responded that the basic problem was a good deal simpler: the Sri Lankan army wanted to advance down the highway to retake the strategic causeway at Elephant Pass. On the other hand, if the government was serious about opening the route, the TNA could work out some of the other issues, for example, by getting the LTTE not to levy "taxes" on relief supplies. Sampanthan added that it was indisputable that no one should stop food from going to needy civilians. His party would talk to the LTTE about agreeing to whatever other security measures the government would need, such as reinforced monitoring.

ABUSES MUST STOP

19. (C) Sampanthan argued that "the international community cannot continue to support Sri Lanka's sovereignty and territorial integrity without Tamil people being given their due." He still believed that the LTTE could be brought to accept a reasonable settlement. However, the present situation could not go on. The abuses of the security forces and paramilitaries must stop. Ambassador observed that the government would come in for increasing criticism, also from the Eminent Persons panel that would advise the government's Commission of Inquiry on Human Rights. The international observers had the right to speak out at any point in the inquiry, not just at the end, he noted.

TAMILS WON'T STAND FOR DICTATORSHIP

10. (C) The Tamil people were also resilient enough,

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Sampanthan said, to demand their democratic rights from a future administration and would not submit to an LTTE dictatorship. Tamils would also respect the rights of Muslims and Sinhalese in their majority areas. He recognized that there was no turning back the clock) even though the government had pursued a conscious policy of Sinhalese colonization in the East, increasing their numbers there ninefold since independence, the Tamils would not question the right of the newcomers to remain, he said.

11. (C) COMMENT: We are less sanguine than the TNA deputies about the future benevolence and tolerance of an LTTE administration in the northeastern part of Sri Lanka. However, we are encouraged that the TNA, (which, though moderate, shares LTTE goals for Tamil autonomy) is still open to the idea of a federal solution for Sri Lanka and has not written off the prospect of future negotiations. We are even inclined to agree with their assessment of President Rajapaksa's isolation. The president relies on a small coterie of advisors, especially his brothers, who are probably inclined to sanitize reports reaching him and to push for a purely military solution to the challenge posed by the Tigers. The Embassy's priorities are clear: pushing for a cessation of offensive military action, and putting an end to the human rights abuses that afflict the Tamil minority and push them into the arms of the LTTE.

BLAKE